
Federal Communications Commission

**Before the
Federal Communications Commission
Washington, D.C. 20554**

In the Matter of)	
)	
American Cellular Corporation)	File No. EB-04-CG-113
)	
ASR # 1042222)	NOV No. V20043232010
Campbellsville, Kentucky)	
)	
Attention: Jeffrey S. Cohen)	

NOTICE OF VIOLATION

Released: March 29, 2004

By the District Director, Chicago Office, Enforcement Bureau:

1. This is a Notice of Violation ("Notice") issued pursuant to Section 1.89 of the Commission's Rules,¹ to American Cellular Corporation.

2. On March 16, 2004, an agent of the Commission's Chicago Office inspected the antenna structure, ASR# 1042222, located at Campbellsville, Kentucky and observed the following violation:

- a. 47 C.F.R. § 17.17(a): "The requirements found in §17.23 relating to painting and lighting of antenna structures shall not apply to those structures authorized prior to July 1, 1996. Previously authorized structures may retain their present painting and lighting specifications, so long as overall structure height or site coordinates do not change." Antenna Structure Registration, FCC Form 854, specifies the structure listed above is required to have red obstruction lighting. The antenna structure is equipped with white lighting systems rather than red obstruction lighting.

3. Pursuant to Section 308(b) of the Communications Act of 1934, as amended,² and Section 1.89 of the Commission's Rules, American Cellular Corporation, must submit a written statement concerning this matter within 20 days of release of this Notice. The response must fully explain each violation, must contain a statement of the specific action(s) taken to correct each violation and preclude recurrence, and should include a time line for completion of pending corrective action(s). The response must be complete in itself and signed by a principal or officer of the licensee with personal knowledge of the matter. All replies and documentation sent in response to this Notice should be marked with the File

¹ 47 C.F.R. § 1.89.

² 47 U.S.C. § 308(b).

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No. and NOV No. specified above, and mailed to the following address:

Federal Communications Commission
Chicago Office
1550 Northwest Highway, Room 306
Park Ridge, IL 60068

4. This Notice shall be sent to Jeffrey S. Cohen, American Cellular Corporation, 2300 N Street, NW, Suite 700, Washington, DC 20037.

5. The Privacy Act of 1974³ requires that we advise you that the Commission will use all relevant material information before it, including any information disclosed in your reply, to determine what, if any, enforcement action is required to ensure compliance. Any false statement made knowingly and willfully in reply to this Notice is punishable by fine or imprisonment under Title 18 of the U.S. Code.⁴

FEDERAL COMMUNICATIONS COMMISSION

G. Michael Moffitt
District Director
Chicago Office

³ P.L. 93-579, 5 U.S.C. § 552a(e)(3).

⁴ 18 U.S.C. § 1001 *et seq.*